



Tahoe yellow cress (*Rorippa subumbellata*)

“Not Warranted” 12-month Finding

Frequently Asked Questions

Q. What is the U.S. Fish and Wildlife Service (Service) announcing today?

A. The Service is announcing a “not warranted” 12-month finding for Tahoe yellow cress (*Rorippa subumbellata*) found in California and Nevada, which will remove it from the Endangered Species Act (ESA) candidate species list.

Q. Why did the Service conduct the 12-month status review of Tahoe yellow cress?

A. The Service received a petition from the Center for Biological Diversity to list Tahoe yellow cress as threatened or endangered, and designate critical habitat for the species.

Q. What does Tahoe yellow cress look like and where does it occur?

A. Tahoe yellow cress is a low-growing, perennial forb in the mustard family known only from the shoreline of Lake Tahoe in California and Nevada. Leaves are fleshy, generally oblong shaped, and deeply pinnately lobed; flowers are yellow and the fruits are small with a plump, round shape (Figure 1). Around the shores of the lake, the species occurs within a relatively narrow elevation range between the lake’s natural rim at 6,223.0 feet (ft) above mean sea level, and the high water line at 6,229 ft.



FIGURE 1. Tahoe yellow cress at Lake Tahoe. Photo credit: S. Kulpa, Service.



Tahoe yellow cress (*Rorippa subumbellata*)

“Not Warranted” 12-month Finding

Q. What is the Service’s determination regarding the status of Tahoe yellow cress?

A. After evaluating the best available scientific information regarding Tahoe yellow cress, including an analysis of the threats to the species and their habitats, the Service has determined that protection under the ESA of 1973, as amended is not warranted. Additionally, in light of this finding, the Service will not designate critical habitat for this species. However, the Service asks the public to submit any new information that becomes available concerning the threats to this plant or its habitats at any time.

Q. What threat analysis did the Service complete in making this determination?

A. Under the ESA, the Service can determine that a species is endangered or threatened based on any of five factors: (A) The present or threatened destruction, modification, or curtailment of its habitat or range; (B) Overutilization for commercial, recreational, scientific, or educational purposes; (C) Disease or predation; (D) The inadequacy of existing regulatory mechanisms; or (E) Other natural or manmade factors affecting its continued existence.

With regard to Tahoe yellow cress, the Service found that these factors may be affecting individual plants in some locations, but they are not currently affecting the overall species’ status, nor are they likely to do so the future. The full analysis of these possible threats is documented in the Candidate Species Assessment and is summarized in the 12-month finding. Based on this analysis, the best available scientific and commercial information does not indicate that these threats are causing a decline in the species or its habitat, either now or into the future.

Q. What is being done to conserve Tahoe yellow cress?

A. In 1999, a Technical Advisory Group (TAG) was formed to develop and implement a conservation strategy for Tahoe yellow cress. Comprised of land managers, regulatory agencies, conservation organizations, and lakefront property owner groups, the TAG described the history of Tahoe yellow cress conservation, compiled survey data, and increased understanding of the population dynamics and conservation needs. The first Conservation Strategy (CS) for the species was finalized in 2002. In January 2003, the following entities signed a Memorandum of Understanding (MOU) and Conservation Agreement (CA) to cooperatively implement the 2002 Conservation Strategy:

California Department of Fish and Wildlife;
California State Lands Commission;
California State Parks;
California Tahoe Conservancy;
League to Save Lake Tahoe;
Nevada Division of Forestry;
Nevada Division of State Lands;

Nevada Division of State Parks;
Nevada Natural Heritage Program;
Tahoe Lakefront Owners’ Association;
Tahoe Regional Planning Agency;
U.S. Fish and Wildlife Service;
U.S. Forest Service



Tahoe yellow cress (*Rorippa subumbellata*)

“Not Warranted” 12-month Finding

Representatives from these entities have been meeting quarterly since 2002 as the Tahoe yellow cress Adaptive Management Working Group (AMWG), under the oversight of the Tahoe yellow cress Executive Committee, which consists of executive officers of the signatories to the MOU/CA. The 2003 MOU/CA expired on January 29, 2013; a new MOU/CA was signed by these entities on June 1, 2013 and will be effective for another 10 years, until the year 2023. A revised CS is also in the final stages of review by the AMWG, and is expected to be finalized in coming months. The updated CS will provide a synthesis of population survey data collected over the past 25 years, and the robust correlation between site occupancy and lake elevation revealed during this time period. This retrospective analysis illustrates the species’ resiliency to decades of sustained fluctuations in lake level – long presumed to represent the primary threat to the species’ persistence. The revised CS will also summarize other new information obtained during the implementation of the 2002 CS, such as the relative ease of propagating and transplanting the species, the successful use of fencing and beach-raking guidelines to avoid or minimize recreational impacts, and the sustained track record of avoiding development-related impacts through effective administration of regulations established in the Tahoe Regional Planning Agency’s 1987 Regional Plan, which limit the types and amount of development in Tahoe yellow cress habitat.

Q. How can I find out more information about the determination?

A. The Candidate Species Assessment and other materials relating to this finding are available on the Reno Fish and Wildlife Office website at www.fws.gov/nevada/ and at www.regulations.gov, or by calling the Reno Fish and Wildlife Office at 775-861-6300.